

SEP 23 2005



Attorneys at Law

Suite 2800 1100 Peachtree St.
Atlanta GA 30309-4530
t 404 815 6500 f 404 815 6555
www.KilpatrickStockton.com

September 23, 2005

direct dial 404 815 6147
direct fax 404 541 3458
KCrall@KilpatrickStockton.com

FAX

RECIPIENT/ PHONE NO.	FAX NO.	COMPANY/ CITY, STATE, COUNTRY
Mail Stop Amendment Commissioner for Patents	571 273 8300	U. S. Patent & Trademark Office Alexandria, VA

Kristin M. Crall

FROM

17

PAGES (WITH COVER)

0952

REFERENCE NO

39262/256238

CLIENT/MATTER NO.

PLEASE CALL 404 815 6497 IF YOU HAVE DIFFICULTY WITH THIS TRANSMISSION.

CONFIDENTIALITY NOTE:

The information contained in this fax message is being transmitted to and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, you are hereby advised that any dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone and destroy this fax message.

COMMENTS

Please acknowledge receipt of the enclosed:

- 1) Transmittal Form (PTO/SB/21);
- 2) Supplemental Amendment and Response

Applicant(s): J. Charles Taylor, et al.

Application No.: 09/827,252

Filing Date: April 5, 2001

Title: Orthopaedic Fixation Plate

Attorney Docket No. 39262/256238

Atty: KMC

TO BE COMPLETED BY KS OPERATIONS CENTER

TRANSMISSION RECEIPT DATE/TIME: _____

COMPLETED BY: _____

JOB CODE 83642

ATLANTA AUGUSTA CHARLOTTE CINCINNATI DALLAS DENVER KANSAS CITY LOS ANGELES MINNEAPOLIS NEW YORK PHOENIX RICHMOND SAN FRANCISCO ST. LOUIS TAMPA WASHINGTON DC

SEP 23 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/827,252	
	Filing Date	April 5, 2001	
	First Named Inventor	J. Charles Taylor et al.	
	Art Unit	3731	
	Examiner Name	Ho, (Jackie) Tan-Uyen	
Total Number of Pages In This Submission	16	Attorney Docket Number	39262/256238

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<div style="border: 1px solid black; padding: 5px;"> Remarks </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Kipatrick Stockton LLP		
Signature	<i>Kristin M. Crall</i>		
Printed Name	Kristin M. Crall, Reg. No.		
Date	September 23, 2005	Reg. No.	48,895

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature	<i>Susan Haugen</i>		
Typed or printed name	Susan Haugen	Date	September 23, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

SEP 23 2005

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: J. Charles Taylor et al.

SERIAL NO.: 09/827,252

GROUP ART UNIT: 3731

FILED: April 5, 2001

EXAMINER: Ho, (Jackie) Tan-Uyen

FOR: ORTHOPAEDIC FIXATION PLATE

ATTORNEY DOCKET NO.: 39262/256238

DATE: September 23, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING
I hereby certify that this document, together with any document referred to as enclosed or attached, is being forwarded to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, via first class mail on this 23rd day of September, 2005.
Susan Haugen
Susan Haugen

SUPPLEMENTAL AMENDMENT AND RESPONSE

Dear Madam:

In response to the Notice Of Non-Complaint Amendment mailed September 13, 2005, kindly consider the following remarks and amendments, which are intended to advance prosecution and put this case in immediate condition for allowance. Applicants believe that the present amendments are responsive to the Examiner's notice (although some claims have been added during prosecution and the parenthetical expression explaining the status of those claims is made relative to that claim's presentation during this prosecution, not relative to the claims of the patent as of the filing of the reissue application).

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 9 of this paper.